

# WILMINGTON JOURNAL.

DEVOTED TO POLITICS, THE MARKETS, AGRICULTURE, FOREIGN AND DOMESTIC NEWS, LITERATURE, AND GENERAL INFORMATION.

DAVID FULTON, Editor.

GOD, OUR COUNTRY, AND LIBERTY.

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June 27, 1845. 41-f

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June 27, 1846.

## SPEECH OF MR. HAYWOOD, OF NORTH CAROLINA, ON THE OREGON QUESTION.

Delivered in the Senate on the 4th and 5th March.

CONCLUDED.

Mr. President: I am very loth to trespass upon the patience of the Senate, and perhaps I might safely stop here. But your indulgent attention encourages me to proceed; and, as I proposed at this point, so I invite you to look and see whether the words of the "record" are, alas! so plain, and their meaning so clear, as to exclude those inferences which the confidence of a generous friendship, the justice of a Senate, and even the ordinary charity of any man, might accord to the President of the United States, in a full view of that which I have already imperfectly reviewed. Before doing that, I remark, however, that when Senators talk about making the inference from these "records" that the negotiation is at an end, they forget that the fact appears in their face directly opposite to their inference. The negotiation which began in Mr. Tyler's time, and which has been continued by President Polk, is, in reality, a pending negotiation this very day. It never has been terminated on our part, up to the hour when I am addressing this Senate. Only discriminate for a moment between a negotiation and the correspondence of the Ministers, and the fact is at once palpably before you.

A negotiation may be open and continued, while the correspondence of the Ministers may be suspended, or delayed for a month or a year. This distinction needs but to be stated in so enlightened a body as this. Illustrations would be useless and unprofitable HERE. Yet may I not be pardoned for reminding you that a negotiation, in the proper sense, is a business between two Governments, as Governments—opened by their mutual consent as Governments to treat with one another upon State affairs; and which, once opened, cannot be amicably concluded without a like mutual consent, (as by a treaty or a convention,) except one of the parties shall first directly notify the other of its intention to close it.

I think this definition, if not precisely accurate, is enough so to answer the purpose of presenting this point to the mind of the Senate distinctly, and that is all I shall aim to do, making no references to dictionaries or authorities. With this distinction in our minds, it will be seen that if the President had said to Congress in so many words, "Negotiation has terminated," it would have been nothing but the mistaken statement of a fact, so long as a reference to the "whole correspondence," clearly showed the fact to be otherwise. The President's own direct statement could not alter the fact. If it would be so, were the statement unequivocal and direct, what is to be said of a mere INFERENCE by his "friends," from equivocal language, but that it is a FALSE INFERENCE! Now, then, this whole correspondence does show clearly that the negotiation was regularly opened; but it nowhere appears that the President has notified the British Minister, or that the British Minister has notified the President, of any unwillingness to pursue it, nor that they have mutually agreed to terminate it; and therefore it is still open. On the contrary, the British Minister was informed by the President (page 85) that he earnestly "hoped that this long-pending controversy may yet be finally adjusted in such a manner as not to disturb the peace or interrupt the harmony now so happily subsisting between the two nations." That hope is again expressed upon the occasion of our refusal to ARBITRATE. Great Britain so understands it; and accordingly we see her Ministers daily in our streets, and our intercourse with Great Britain is as friendly as it ever was.

The assertion or the inference, therefore, that this negotiation has been concluded, is thus shown to be directly contrary to an ascertained FACT; and every attempt to prove it is a most absurd, may I say a ridiculous, attempt to prove before an American Senate that, which we both see and know, from the "record itself," to be UNTRUE. Negotiation, then, in its proper sense, is pending. What negotiation? What negotiation is it! That same uncompleted negotiation which, by the first protocol, our Government agreed, in writing, to approach "in the spirit of compromise." (Page 36.) That same uncompleted negotiation which President Polk declared to the British Minister he had "determined to pursue to its conclusion, upon the principle of compromise." (Page 62.) That same negotiation in which President Polk admitted to the British Minister that this Government was "committed" to a "compromise" which he offered to Great Britain. (Page 62.) That same negotiation in which the President said to Congress that he was "committed" by the conduct of his predecessors to offer the line of 49° as a compromise, and that he had therefore superadded his own offer of it to their precedents." (Page 10, 11.) That same negotiation whereof he declared to Congress that the "British proposition" to us is "wholly inadmissible and cannot be entertained;" with a due regard to our honor, were it re-offered; but in which he has NEVER said that he would refuse to entertain the American proposition if it should be returned upon him again. But he does admit, and by his conduct he has confirmed the truth of it, that the American proposition for compromise was consistent with our honor and demanded by his regard for the national character. Yet, Mr. President, have you been constrained to sit here and listen to a long and (I fear it will be) a tedious speech from me, to prove, to demonstrate, that the President has not terminated negotiations on his part; and that he has not resolved not to compromise this controversy, almost upon his own terms, should Great Britain ask him to do it.

One or two general remarks upon the character of the message, I must make, before I dissect those particular sentences which, by being separated from their context and improperly associated and identified with the opinions of Mr. Polk upon our paper title, have misled so many people. If for the sake of being understood I should be guilty of occasional repetitions, I pray the Senate to excuse me. I will be as brief as I can. So far as the President's message touches upon OREGON, it is not and was not designed to be a disclosure of his purposes and opinions in the future progress of negotiation, but of his past action only. What is said in the message, from the beginning to

the end of it, about negotiation, is nothing more than a narrative of the President's ACTION up to that time; and the whole correspondence is attached to let Congress see and know for themselves what he had DONE—with perhaps an occasional introduction. (as if by way of parenthesis) of the motives and opinions by which he had been influenced to deviate in that ACTION from an assertion of our extreme claim to all of Oregon. Now it is chiefly from the unfortunate sticking-in of these parenthetical excuses to satisfy the ultraism of the President's "true friends of Oregon" that the misconception of his message has arisen—stimulated, I know, by external causes; but to which I will allude no further at present. I speak of the message as I read it, and according to my own mind and judgment upon it; not BY AUTHORITY. In concluding this narrative, and precisely where it concluded, (page 11,) the President did proceed to express his opinion, upon "evidence" referred to as "satisfactory," that "no compromise which we ought to accept can be effected."

If he alluded to the future, he might or might not be mistaken in his conclusion; but if to that time—the time present—it is a harmless fact, as if he had said, none has been effected. I commend to your consideration either one of these alternatives.

His reasons for it are given, and they consist altogether of these facts:

1st. That the British Minister had made a proposition that was "inadmissible."

2d. That he had rejected one which our Government had made, "without submitting any other proposition, and had suffered the negotiation, ON HIS PART, to stop." The Senate can judge of their efficiency.

At all events, it was "WITH THIS CONVICTION," continues the message, that the American offer, which had been made and rejected, was withdrawn, (p. 11)—"THAT IS ALL!" Whether a fact or an opinion, for the future or the present, it was made the basis of his WITHDRAWING THE REJECTED OFFER AND NOTHING MORE. And now what becomes of all the inferences made from this single sentence! Again: it is to be observed that he did not express any determination of his own mind in respect to his future course; but the fair inferences to be made from the words of the message are, that, without "this conviction," the American proposition would not have been withdrawn at all; and upon the supposition or contingency of a change of "this conviction," by the British Minister ceasing "on his part to stop," he did not declare nor intimate that his own offer had become also inadmissible. It seems to me the inference by us ought to be precisely the other way; and that the constructions given to these off-quoted words are illogical and untrue. There the narrative ended, concluding, I again repeat, by assigning "this conviction" upon his mind as his reason for withdrawing his proposition after it had been rejected! But nothing more—nothing more.

He does not expressly ask for the notice as an instrument of negotiation at all. That is left for Congress to see and decide upon. He asks Congress for a LAW that will show the concurrence of the two departments of the Government in one conclusion; and that is, that the old convention of 1827 is to be no more, after a year's notice. We see for ourselves, we know for ourselves, that such a concurrence will strengthen his hands, and therefore we will give him authority at once, and whilst negotiation is pending. In that form and to that extent he asked it, and in no other.

It is true, Mr. President, that the message recommending certain measure of legislation—all of them, however, entirely consistent with further negotiation—contained this general declaration: "All attempts at compromise having failed, it becomes the duty of Congress to CONSIDER what measures it MAY be proper to adopt," &c. (page 11.) And, after remarking that a year's notice must be given before either party can rightfully assert or exercise "exclusive" jurisdiction over "any portion" of the territory, the President said: "This notice it would, in my judgment, be proper to give; and I recommend that provision be made by law for giving it accordingly, and terminating in this manner 'the convention of the 6th August, 1827.'" "All attempts" are very general words. I admit that; and I am not complaining against Senators for their first impressions; but surely it is not illogical nor unreasonable for me to insist that, with the light of his past conduct now before us—his acts of omission and commission—with the words "consider" and "may" in the same sentence—not "enact" and "is," or the like—with the already ascertained fact that negotiation was and is still pending—with the knowledge that James K. Polk is not an impetuous MILITARY CHIEFTAIN, but a CHRISTIAN STATESMAN, to whom politically there is no expectation of a future at the close of his Presidential term—with the very strong fact that, unless the President desired to have this legislative action as a merely moral instrument to aid him in his executive duties, and to pursue the negotiation to a conclusion, (if such should be the will of Congress,) he could have no use for it that is honorable to him or to his Administration—with all these things as a key to the true meaning, it will not be said (at least not by his "friends") that "all efforts to a compromise" meant any thing more than "all the efforts made anterior to that period." So interpreted, how harmless the sentence was! How unjust, how false the deductions made from it!

But the message said: "At the end of the year's notice we shall have reached a period when the national rights in Oregon must either be abandoned or firmly maintained." "That they cannot be abandoned without a sacrifice of both national honor and interest," &c. is too clear to admit of doubt." (Page 13.) A great deal has been attempted to be made of this by the "true friends of Oregon." Now observe that, "at the end of the year's notice," not before it, in the view of that part of the message, will that period be reached. But it is as clear as a sunbeam that the period cannot be delayed "a year" unless negotiation is to be pursued. If the President's mind had been made up to compromise no longer, and to negotiate no longer, it was little less than a deception and a mockery to tell Congress that the period for abandoning or asserting our rights will be reached a year after notice to Great Britain! In such a case,

the period had come already. It is now here!—NOW!—TO-DAY!—and he would have told us to prepare for asserting "our clear and unquestionable title to all of Oregon." This ought to have been his language, if such had been his meaning. But if, indeed, negotiation was to be "pursued to a conclusion in a spirit of compromise," the period for asserting or abandoning our "national rights" must be delayed, and cannot be reached until the negotiation is concluded; and if the notice is passed, it may continue a year, but no longer.

If, therefore, Mr. President, I am not most grievously mistaken in the man and the officer—if I have not been altogether deceived by his past conduct and by these "records," the President has not shut the door to a peaceable and honorable adjustment of the OREGON controversy by a COMPROMISE; but, with noble reliance upon his own good purposes and a just regard for Congress as the constitutional interpreters and representatives of the public will, he has only paused to see whether the representatives of the States and the People will stand by him or not. Standing in the halls of negotiation, with the door of conciliation as open as before, he but turns to receive from Congress this law to aid his progress. He invites their sanction as a legislative body to a law for notice to terminate the existing convention of 1827. But he stands there with dignity, moderation, and discretion, ready to hear his constitutional advisers, should they bid him to forbear, and if that indeed be the will of the people constitutionally expressed. That is his exact position as defined by his past conduct, and in no way contradicted by the records fairly interpreted. "You see what the President's position is, if I understand it, and I believe that I do. I have no fear—no doubt—no distrust of him. WHAT WILL NOW BE YOURS? What shall we do?"

If you think the President has done wrong, as some of "the true friends of Oregon" do, and that he has "committed" himself to surrender too much for honor, compromise, and peace—then close the halls of the Senate, and let those Senators meet the responsibility of advising him to put an end to negotiations and until you have told him that, and he has obeyed it, do not give him this law. authorize the notice; and then you will be going—going—something towards "all of Oregon or none." That course would be mainly; and less than that will not be just to yourselves, nor to the President, nor to the country. He will then see and understand your position truly, and he will know how to use your notice. He will know how to advise you for a preparation for consequences. He will understand that you have given it to him as a sword, and not as an anvil branch.

If you think he has proposed too little—and I fear there may be some here who do, altho' no one has yet declared so—that more concession ought to be made to the demands of Great Britain than the offered compromise line at 49°; that because the President has not, and probably may not, make that concession, it were better to remit both countries to their ancient condition of a perpetual feud and a joint occupancy under the existing convention of 1827; and that this can be safely done in full view of coming events, then it is certain I admit it without hesitation—that the notice ought to be REFUSED by you.

But if this Senate have made up their minds that the line of compromise at 49° is substantially all that we ought to yield, or can yield; and if they are willing to strengthen the arm of the Executive in his efforts to settle this dispute THERE, and by a COMPROMISE to preserve the honor and peace of our country, satisfied as we must be that now or never is the time to prevent demagogues of our land from converting this difference into a dispute—this negotiation into a war—they will then give him what he asks for—give it to him promptly, confidently, by passing some sort of law for a notice, while he stands in his present position, that he may terminate the convention of 1827. Mr. President, I hope I have not decided without a just consideration of my responsibility, both here and hereafter, upon the position I shall take. But, after much reflection, long and anxious thought, a conscientious effort to determine the point with justice to other nations, but with unfaltering faithfulness to the honorable obligations and lasting interests of my own country, I have come to the conclusion, as a Senator of the United States, that we cannot, ought not, must not compromise this controversy in any manner very materially different from that to which the President, as I understand his position and these records, stands himself committed, and RIGHTLY COMMITTED; and I shall therefore vote to give him the notice, and with it all the moral weight of an AMERICAN SENATE'S SETTLED OPINION, that if Great Britain will not, or if she cannot, consent to do us justice by yielding her pretensions of dominion over the territory below that line of 49° as a compromise, then WE MUST HAVE TO FIGHT. I repeat it, WE MUST THEN FIGHT FOR IT. If my mind had not settled down into a determination to concede no more than a compromise at 49°, with the qualifications already stated, I would vote against the notice; for without that determination of the Senate the notice would have no moral weight whatever, and be worthless, worse than a temporizing pretence—a species of legislative diplomacy, an empty bravado, of which we have had quite enough already, unsuited to the dignity of this body or the gravity of the subject, and rather embarrassing than helpful to the Administration in pursuing the negotiation. In a word, we ought to refuse the notice unless there is a solemn determination to make the compromise line of 49° our FIGHTING LINE—if it must be so.

But, Mr. President, there are some other topics that have been introduced into this discussion which I feel obliged to notice. We have been told that the PEOPLE have decided this question, and all Democrats are called to obey the voice of the people at the peril of consequences. I am a Democrat, and upon party questions a party man. Of this I make no concealment; and at home I have never been suspected, I think, but once, and that did not last long. But I am not a slave to dictation, nor a tame follower of any man's lead, especially upon questions likely to involve my party in danger, or my country in ruin. I am a Democrat enough not to shrink from speaking the truth boldly to the people, as they shall hear who hear me at all. I had rather serve them than please them, though I

have found in my own experience that honest service is the best avenue to their confidence. I do not know nor believe that the people are opposed to an honorable compromise of this controversy. That they might be made so by artful appliances I have no doubt. But I do not shrink from meeting such an issue directly—not I. I should hold myself no Democrat if I did. By the Constitution of the United States, the exercise of TREATIES is confined to the PRESIDENT, under the advice of the Senate. I talk of treaties, not ordinary laws. In treaty-making we act in private, and upon information we cannot disclose. We deny to foreign Ministers the right to discuss the cause of their Government to our PEOPLE. Should one undertake it, he would be driven from the country, as he ought to be. We represent STATES; and Senators are presumed to be statesmen of some learning and great judgment. We generally ratify a treaty before the PEOPLE are permitted to know any thing of it, or of the reasons for its ratification. If we were cautious to observe the rules, this would always be the case. How absurd, therefore, to assert that the PEOPLE have retained, or that they wish to exert, or that they can rightfully exercise the power to instruct the Senate upon the making of a treaty. How execrable and revolutionary would be the doctrine that a President should seek to set aside his constitutional advisers, and go before the people, whether they were the honest "masses," or Baltimore Conventions, or town and county meetings, wherein factions are first formed, and then led by demagogues, who called them together. Oh, my country, my country! when that shall be our fate, if in the providence of God, it shall ever be!

Sir, hear what the Father of his Country said a half century ago. Let the People hear him. Let an American Senate hear him. Let PRESIDENT WASHINGTON, and stand to his position! How precious will be his reward! "There had been a public meeting in Philadelphia for the purpose of passing resolutions against Jay's treaty. After the business of the meeting was closed, a copy of the treaty was suspended on a pole, and carried about the streets by a company of people, who at length stopped in front of the British Minister's house, and there burnt the treaty; and also before the door of the British Consul, amidst the huzzas and acclamations of the multitude."

In Boston the same sort of thing was done, and a town meeting addressed to the President a protest. This was his reply to all: "To Ezekiel Price, Thomas Wallis, William Boardman, Ebenezer Seaver, Thomas Crafts, Thomas Edwards, William Little, William Sculley, and Jesse Putnam, Selectmen of the town of Boston."

UNITED STATES, JULY 28, 1796.  
"GENTLEMEN: In every act of my Administration I have sought the happiness of my fellow-citizens. My system for the attainment of this object has uniformly been to overlook all personal, local, and partial considerations; to contemplate the United States as one great whole; to confide that sudden impressions, when erroneous, would yield to candid reflection; and to consult only the substantial and permanent interests of our country."

"Nor have I departed from this line of conduct on the occasion which has produced the resolutions contained in your letter of the 13th instant. Without a prediction for my own judgment, I have weighed with attention every argument which has at any time been brought into view. But the CONSTITUTION is the guide which I never can abandon. It has assigned to the PRESIDENT the power of making treaties, with the advice and consent of the SENATE. It was doubtless supposed that these two branches of Government would combine, without passion, and with the best means of information, those facts and principles upon which the success of our foreign relations will always depend; that they ought not to substitute for their own conviction the opinions of others, or to seek truth through any channel but that of a temperate and well-informed investigation."

"Under this persuasion, I have resolved on the manner of executing the duty before me. To the high responsibility attached to it, I freely submit; and you, gentlemen, are at liberty to make these sentiments known as the grounds of my procedure. While I feel the most lively gratitude for the many instances of approbation from my country, I can no otherwise DESERVE it than by obeying the dictates of my CONSCIENCE."

"With due respect, I am, gentlemen, &c.,  
"GEORGE WASHINGTON."

Who does not know the history of that party denunciation and violence which disturbed this nation even under Washington's administration, when GENET appealed to the PEOPLE of the States in behalf of France and against Great Britain, and how PRESIDENT WASHINGTON'S celebrated Proclamation of Neutrality saved the PEACE OF AMERICA. In taking leave of the duties and cares of public station, hear what WASHINGTON said of it to the people:

"After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a NEUTRAL position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness."

And oh, how like a patriot and father did he, still yearning over his country, warn us of his FARWELL ADDRESS to beware of all self-constituted combinations to overawe and speak to us from the grave; let Senators listen:

"The basis of our political systems is the right of the people to make and to alter their constitutions of Government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established Government."

"All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to do evil, control, counteract, or oppose the regular deliberation and action of the constituted authorities, are destructive of its fundamental principles, and of fatal tendency.

They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of a party—often a small and artful and enterprising minority of the community—and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concocted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common councils, and modified by mutual interests."

"However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the PEOPLE, and to usurp for THEMSELVES the reins of Government, destroyed afterwards the very engines which have lifted them to unjust dominion."—*Farwell Address.*

What words of wisdom and of truth are these! They are the principles of liberty, well-regulated liberty; of freedom, constitutional freedom.

Methinks I see the coming storm. The press may be already charged; but no matter. This is my country's question, not a mere party strife. These are the sentiments my head and my heart approve, and I will not withhold them. The President may perill his Administration—some of you believe he will—if he or his friends should dare to think like WASHINGTON—to act like WASHINGTON. But he will violate his duty and perill his country if he does not. So did WASHINGTON perill his Administration; but the people, the DEMOCRACY, came to the rescue, and all was well. A much humbler victim (like him who addresses you) must expect to be marked as a disturber of our party harmony. But shall I preach harmony when there is no concord, upon such questions as these? It would be political hypocrisy. I read to an American Senate the lessons which Washington taught, and upon which Washington ACTED; and if "that be treason, make the most of it."

But, before you strike, the PEOPLE shall hear. Are not these the true principles of the Constitution upon which every Administration of this Government, from WASHINGTON down—Federal and DEMOCRATIC—have ACTED—have ACTED, I say—in the management of our foreign affairs? I challenge a refutation by their acts—not mere words. It is Southern Democracy, Mr. President, beyond all dispute. It is that sort which I have always professed; not like a potato that grows under ground at the root; but which blooms and bears its fruit in the open air of heaven, and then ripens and is fit for use.

I say nothing about LEGISLATIVE INSTRUCTIONS; not a word. I have no time to speak upon that point, so as to express myself in a manner to avoid misrepresentation; and it is not necessary I should raise that question before I shall be instructed. Suffice it to say, that NORTH CAROLINA has not instructed her Senators. I esteem it a jewel in the crown of my State, that North Carolina never did, in any party mutations or political excitements, instruct her Senators upon a TREATY or TREATY-MAKING, so far as I know. I presume it will not so much as be pretended that I ought to pay obedience to the mandates of any other State.

[At this stage of his remarks, Mr. Haywood gave an amusing account of the game of politics to be played with this Oregon question in President-making. The substance was, that the great Western Democratic Statesman, (Mr. Benton,) [who had seen ever since last summer]—was to be drummed out of the party, with the false label upon his back of "traitor to Oregon!" "The great Southern Democratic Statesman, (Mr. Calhoun,) was to be dismissed, falsely labelled with the cry of "Panic faith to Oregon!" The Senator from Arkansas, (Mr. Sevier,) another eloquent and early friend of Oregon, would find himself marched out for his want of foresight—because in the last Congress he made a speech for the notice, but, instead of going for "all or none," "fight or no fight," he had got for his reward a vulgar patch to his back, of "notice for the sake of negotiation." The Secretary of State (Mr. Buchanan,) and all the Cabinet would probably be dismissed, in a body, from "British compromises." And as that left the Governor of New York still in the party, Mr. H. asked "what of him? How is he to be got rid of?" "Oh, that will be a small job, provided the indignation against the WASHINGTON TREATY can be kept up long enough, as he voted for its ratification. [Then turning to Mr. Webster:] "The Senator from Massachusetts may see a more amicable excuse for certain state strictures upon the "Washington treaty" than malice towards the negotiator. GOVERNOR WRIGHT, as a Senator, voted for its ratification; and he does not seem to be here to vote upon Oregon. So, his badge upon his dismissal. During this part of the speech there was much laughter, and the picture, although drawn seriously, was exhibited in good humor. He then proceeded as follows:—

Why, in the name of all that is safe to my party, where do the Democrats expect to find a Presidential candidate? Who will be our President after we have expelled all our biggest men? Sir, I am sure I do not know.

[Mr. Hannegan remarked, "Take him from amongst the people, where we got one before."]

Oh, ay: then he is to be taken from among the people, is he, without resorting to such statements as those I have named? We shall see, however, whether the people agree to have this game played after a three years' notice.

There is a mistake, however, Mr. President, in what the Senator from Indiana exclaimed at his first sight of my imperfect picture. In my State, let me tell that Senator, when Democrats talk of "the people," we mean "the masses," the "bone and sinew" of the land, as distinguished from the statesmen, lawyers, politicians, and such like. In that sense I deny that President Polk was got for a candidate from among "the people." He has been a politician all his life, and we knew it when he was nominated. Thank God for it! he has now proved himself to have been more one of the STATESMEN of this great country. And if he will only stand up by the side of Washington, as he has done, and I hope he

(Continued on 4th page.)







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**ALL-HEALING**

**OINTMENT**

The illustration shows a man standing, facing forward, with a large, dark, textured tumor on his left leg. He is wearing a simple loincloth. The background is a circular, sunburst-like pattern. The text 'M'ALISTER'S' is at the top, 'ALL-HEALING' is on the left, and 'OINTMENT' is on the right.

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To first action is to expel all humor. It will not cease swelling till the face is free from any matter that may be in it. It will not stop breaking out until the face is clean. If then healed. When the skin is shining, smoothness, or dull repulsive surface, it begins to soften and swell till the skin becomes as smooth and delicate as a child's.

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If parents knew how to cure such medicines were to children taken inwardly, they would be slow to resort to them. Especially "mer-urial lozenges," called "medicated lozenges" and "mercurial pills." The truth is, they will tell, invariably, with LIPS, CHIPPED FINGERS, let me say to parents, that this Salve will always get rid of a child has worms. It will DRIVE every vestige of worms out of the system.

There is probably no medicine on the face of the earth so sure and so safe in the expulsion of worms.

Man can measure its value. So long as the stars roll on over the Heavens, so long as man treads the earth, so long as the sun shines, and will cease and sickness is known—just so long will this Ointment be used and esteemed. When man ceases to suffer of the earth, then will it cease, and it will then.

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March 27th, 1846.



will do, he will be entitled to our lasting admiration. That sort of flattery to the people would not take at all with "the people" in any part of the world, and I should be sorry to think it would tickle the people very much anywhere. A man is no more as a man because he does not possess the learning and political experience which are requisite to fit him for the station of Chief Magistrate of the United States. Nobody pretends to that. But it is a great evil when every body thinks he is fit to be President; and if my friend from Indiana should stand up before a crowd of honest Democrats in my State and talk to "the people," the "real people," the "masses" there, the men who drive their own ploughs, make their own cars, &c., quietly pursue their occupation at home—about NOMINATING ONE OF THEM FOR PRESIDENT, they would do what I will not laugh in his face, and tell him he might as well talk of getting a blacksmith to mend watches.

But let me ask the attention of Senators whilst I give to the Baltimore resolution a more particular notice. It has been often referred to in the Senate, and no one has answered. I believe the Senator from Illinois (Mr. Breese) is entitled to the distinction of having first read it in the Sen. He did not have the Secretary to read it, but read it himself. Next year for the next step! The Senate, having no wish to misrepresent me, need not be asked to remember that I shall have nothing to say against the Convention or its members. The resolution, which has been so gravely read, and often relied upon as deserving great weight and consideration in our deliberations, is my subject, not the Convention. The resolution of the Convention is simply this: The declaration of opinions by a party Convention recommending those opinions to the people which were unanimously adopted by the Convention.—That is its precise character. They are before me:

"Resolved, That our title to the whole of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other Power; and that the re-annexation of Oregon, and the re-annexation of Texas, at the earliest practicable period, are great American measures, which this Convention recommends to the cordial support of the Democratic party of this Union."

It is remarkable how this resolution has acquired so much importance now, when it was not even thought worthy of being communicated to Mr. Polk at that time by its authors. I have before me, in Niles's Register, the letter informing him of his nomination, and expecting to elect him; and his reply accepts the nomination, hoping they may. That is about the whole of it. In good taste, and enough said. If any Senator wishes it, I will read the letters. Here they are. But not a word about Oregon—not a syllable. No pledges made, and none required. In truth, we all know that the Baltimore Convention was not called to instruct or express opinions for the party, but simply to choose a NOMINATING CANDIDATE. So a compromise round again to Mr. Polk's opinion voluntarily expressed before he was a candidate for President, and which he had not changed to this day. Of that I have already spoken.

Then whom does this resolution bind? Why brought into this Senate? But, before you answer me, recollect there were two Baltimore Conventions. [Some person said "three."] I know, but I don't count the Tyler Convention. [A good deal of laughter took place at this remark, and Mr. H. said, "I mean no sneer—no offence to any one."] The Tyler Convention, I suppose it will be admitted, are not bound by the Democratic Convention resolution. [Mr. Dickinson, of New York, and others said, "Of course not."] Then that is settled. How is it with a Democratic Senator whose State voted for Mr. Clay and repudiated the Democratic Convention? That is my case. My State adopted the Constitution many years ago; and besides that, they refused to vote for Mr. Polk, or to approve this resolution in 1844. What is it expected of ME to do? To obey the Constitution, and follow the people of my State; or this resolution? I will not take a Convention sent to Baltimore to NOMINATE A CANDIDATE FOR PRESIDENT, but not to make CREDS for the party! [Some one remarked, "Of course you are not bound as a Senator."] Very well; it is as a Senator I talk here, as a Senator I vote here, and as a Senator I heard these resolutions read here; and yet as a Senator I am not bound to heed them. That is a strange result, after all we have heard of this matter. And in behalf of my Democratic neighbors, the Senators from South Carolina, I would respectfully inquire whether they were bound, and how far!—since South Carolina would not join the Convention, and had no delegates in it. [Several voices: "Oh, yes; her delegates came in after."] I understand it: South Carolina delegates came into the nomination. However, I suspect that much of all this, intended or not intended, will be used to aid the cry of "Panic faith"—"Panic faith!" of which I shall speak hereafter.

But in the next place, Mr. President, I presume to tell my Democratic associates who thrust this new CREED upon me as a test of orthodoxy in the party, that they seem to me not to understand it themselves, and it were as well to look to that before any cry of treason shall be got up, either against the President, or against the Senate, or against an humble individual like myself. I charge the Senator from Illinois, and all other Senators who subscribe this as a CREED, and yet go for 54' 40' with insisting upon more than the Baltimore Convention have recommended the party to believe and do, and here is my proof. It truly seems that Texas and Oregon are "great American" questions. You insist that Oregon is a "Western" question; and sometimes it is stated by you as a party question; and I am afraid that, by bringing it here, you will soon induce other persons (without Senators intending it) to convert it into a very dangerous presidential, sectional, anti-Democratic, anti-Administration question, & teach others to PROSCRIBE those who cannot lay aside our original faith as we do our clothes; and, therefore, still believe that this is an "American" question, and that, like Texas, the "twin sister to Oregon," the boundaries of Oregon ought to be left to a settlement by negotiation through the President and Senate of the United States—the only constitutional organs for treating with foreign Governments.

But more than that, Mr. President; this CREED is in favor of the "RE-OCCUPATION OF OREGON." And that is what it recommended to our party. Ah! "re-occupation!" that's the word; not occupation, but re-occupation. Now we cannot re-occupy what we never "occupied" before. We never occupied the Oregon that lies north of the compromise line of 49° before, but the Oregon on this side of that line we have heretofore occupied. Therefore we cannot re-occupy north of 49°, but we can re-occupy all south of that line. And that is exactly what the President has been endeavoring to do, and exactly what I am in favor of doing, "fight or no fight." Sir, if a Democrat thus comes fully up to this cry, by his action, what gave Senators here the privilege to denounce him as untrue to the Democratic faith? This construction of the

CREED is not hypocritical. What is "OREGON?" The country on the Columbia river and south of it—all lying below the line of 49°—used to be Oregon. The old historians, maps, geographers, all had it so. It is a thing of modern origin to call any part of the territory north of 49° "OREGON." There is, then an old Oregon and a modern Oregon. The old Oregon was once occupied by us. Outside of that we have never occupied any portion of the modern Oregon; and therefore, if this CREED had gone for an occupation of Oregon, it might well be construed "all of Oregon," old and new. But, as it only went for a "re-occupation," it is as clear as day that the CREED must be interpreted to mean the old Oregon up to 49°; that same Oregon which we once occupied; that same Oregon which lies south of 49°; that same Oregon which the DEMOCRATS all go for still, only some of us are not standing up to fight for ANY MORE. If we stand to our faith, and keep the word as it was written for us, will not the Senate, I think, Mr. President, I have disposed of the Baltimore resolution, generally and specially.

With unaffected pain did I hear a charge of "panic faith" brought and repeated against the south in this Senate with respect to this Oregon question, &c., and in a way that challenged a reply to it.

Personally I care nothing about it, as I voted for the Oregon bill last session; and some Senators know that my reason for voting against the session before was that its form appeared to me to violate the Constitution. [Mr. H. here explained at length his objections to the form of that notice. He also excused himself for voting to take up the Oregon bill last session, by stating that if he had known at the time (as he does now) how the negotiation then stood, he would not have voted for so much of that as was supposed to take jurisdiction. But the Senate did not know the facts at that time, and he had not been told to him. He did not wonder at the offence that was taken by the British Parliament, who, no doubt, believed that we knew it all at the time the bill passed the other House.] But I do not feel myself at liberty to let such an accusation grow into a proverb against the south. The south is my home; and such accusations have a baleful influence in kindling and preserving sectional feelings; I shall, therefore, expose its injustice, and then forbear. I shall do that by the Journals of the Senate now before me. I will read from the books if any of my statements should be questioned. This charge of "Panic faith," the Senate will remember, was introduced here some days ago, when the honorable senator from Georgia (Mr. Colquitt) had spoken of the course of the senator from Indiana (Mr. Hannegan) in the Senate. The honorable senator from Indiana said, in substance, as I understood him, (I have not his words before me), that he had for some time desired a fit occasion to explain his vote against Texas, and now he had it; and that it was simply because he had foreseen, "Panic faith"—panic faith. Then, or at some other time, he more than intimated that he had found that Panic faith in the south. Other senators were formally called to the floor to vindicate that senator by their statements, showing that he really was suspicious of the south, of which I do not complain. Altogether the complexion given to this matter before the public eye was, that this "Panic faith" had been practised by one or more southern senators of the Democratic party; and the sagacity of the honorable senator, it seems, enabled him to see it beforehand. In that way he explained his vote against Texas.

Now, Mr. President, there is a grave mistake in all this thing. In the first place, the senators' memory deceived him as to the fact of his own vote. He did not vote against Texas! Upon the treaty he did not vote at all! For the Texas resolutions, the next session, he voted *aye*. [The Journals are before me, and these are facts. If contradicted, I will read the votes.]

[Mr. Hannegan remarked: "I was present, and did not vote on the treaty."]

Mr. Haywood. No doubt of it; but present or absent was all the same. No single vote was worth having upon the treaty; for every body knew in the Senate, almost from the beginning, that the treaty could not pass. The senator who said that, then what basis for his charge is left?

In the second place, Mr. President, the resolution for notice, &c., on Oregon was rejected at that session—before the Baltimore Convention met! It was rejected by *eyes and noses* on the 21st of March! The convention met on 27th May! Now, what does the senator think of his charge of "Panic faith, Panic faith?"

In the third place, every Democratic Senator save two—the two from South Carolina, (Messrs. Huger and McDuffie)—voted for the Oregon bill upon the test vote in the Senate at the session when Texas was passed through by the Senator's vote. The Senator from Indiana at that session held Texas in his hand—his single hand! Without his vote it could not have passed! Oregon lacked one vote to save it, Texas but one vote to kill it. What claim will he set up for sagacity, and upon what grounds can he make this charge against the South, when he had only to have made the passage of the Oregon bill *sine qua non* to his vote for Texas, and the thing would have been done—both would have passed, or neither. The Oregon bill must have passed always provided he could have got a Southern Senator to make such a bargain with him! He had but two Senators to trade with; for all the rest of us voted for the Oregon bill without a price. That he did not drive a bargain for Oregon is no concern of mine.

[Mr. Haywood here spoke of Mr. Huger as an absent friend, whom he loved too well not to vindicate against unjust aspersions, and was about to proceed; when—]

Mr. HANNEGAN at once interrupted him by expressing the highest admiration and respect for Mr. HUGER, and disavowed all sort of intention to impute to him an act, even a thought, of the slightest dishonor as a man or a Senator.

Mr. HAYWOOD continued. That is enough, Mr. President. The other honorable Senator from South Carolina (Mr. McDuffie) is here, and very able to vindicate himself if he thinks it is required. But I turn to higher topics. This is not a pleasant one.

Mr. President coming to the conclusions I have which have been expressed to the Senate without evasion or disguise, and in taking my stand as I believe, alongside of the Executive department of the Government, I took no counsel of Great Britain's strength to make me recede from the extreme claim of my own country. Were it Mexico, or any still weaker and more distracted Government, if I knew my own heart, I would demand no more from it than I would insist upon against Great Britain—our rights, our honorable rights, peaceably and in love. From neither, and from no other Government in the world, would I take what was not honorable for my own to demand; nor to war with any nation for either a profitable or an unprofitable wrong. I must be pardoned, therefore, for giving utterance to the sentiment, that an accusation of this kind against our own Government was neither just, nor politic, nor patriotic. The rest of the world will be easy to persuade, with American Senators to instruct them, that our country is mean enough to oppress the weak, and too cowardly to assert our rights against the strong. Great Britain will hardly find in that (if she believed it) a motive for surrendering "all from Oregon" without a fight even if it should become necessary for her to fight as single-handed for it.

So, before God and the Senate, I do abjure

and reprobate the sentiment of hatred to any nation as a motive for going back so far further than the offered compromise.

The venerable man whose image hangs constantly before us, and whose name should ever be his eulogy in an American Senate—GEORGE WASHINGTON—in his last words to the country, taught us that "the nation which indulges towards another habitual hatred is in some degree a slave;" and the Declaration of American Independence has sanctified it as a political maxim of this Republic, "to hold Great Britain as we hold the rest of mankind ENEMIES [only] in war but in peace FRIENDS." There is nothing that has tempted me to forget, and nothing shall drive me to violate, the counsel of my country's father, nor this fundamental maxim of free American institutions. Neither will I teach the people to do it. Good men could not applaud the Senate for it. Heaven would not excuse its practical application, nor fall perhaps to visit the consequences upon the nation itself.

Without going into our title to the territory, (which, if the Senate choose, can be done hereafter, and whenever the bill for taking jurisdiction over Oregon, or "any portion of it," comes up for consideration,) I will tell you in very few words the ground of rights upon which (if there were no other) I would put my vindication. I believe it is the political RIGHT of my country to stretch itself, without any interruption by foreign Governments, from the Atlantic to the Pacific—from sea to sea on this continent—according as we ourselves shall judge it expedient or not. That we acquired that RIGHT upon this continent when our INDEPENDENCE was established, subject only to the proviso that we must not do so as to deny the like privilege to our neighbors, nor interfere with settlements permanently made before our independence was established, nor with similar rights belonging to or acquired by them; nor act with injustice to the aborigines. What we claim a RIGHT to do we must not deny to the CANADAS. It is a sort of a national pre-emption right to both. Great Britain cannot rightfully complain so long as we do not deny to her, as the mother country of the Canadas, the same right equally with ourselves. She cannot rightfully interrupt our enjoyment of that right. And if she does, then we CANNOT SUBMIT TO IT. Our dividing line is at 49° on this side of the mountains and if it is straitened to the Pacific on the other in harmony we ought to be satisfied. In settling that line between the two Governments, the great law of "love and good will to man" requires concessions for equivalents, to be agreed for by mutual consent; and they should be mutually made for the convenience of each other; and such are fit subjects for friendly negotiation.

This Senate, Mr. President, are more familiar with the doctrines and the learning of books about continuity and continuity than I profess to be; and they might well complain of me if I enlarged on those topics. My constituents are a plain republican people, who generally do not care to be enlightened by such treatises. As many of them as do will read for themselves. By the Constitution they have entrusted the making of TREATIES with the President and the Senate. They are satisfied with the Constitution as it is, and patriotically disposed in all parties to take sides with their country. I mean "the People" are. They will feel and understand this assertion of our right to grow and multiply when in the providence of God the country wants to do it; and I doubt not it will vindicate me. At any rate, they put me in this Senate to act on questions of this sort, questions of treaty-making, and to advise the President according to my best judgment upon the responsibility of my own conscience, and I shall govern myself accordingly; accountable to God that my motives are guided to my associates that my speech be frank, to the people only that I DO RIGHT.

What the end of these things may be, if the Senate shall come to the same conclusion with me must depend upon the course Great Britain may pursue, or may not pursue, upon the subject of a compromise. Of that I know nothing. I only know what she ought to do, and that I trust in God she will do. One thing is certain—it will bring us to the end. If it does not aid negotiation it will hinder it.

I believe Great Britain desires peace because it is her interest to do it. Her Minister is still here—the Minister of Peace—the Minister of Peace from a Christian people and a Christian Government. Why should we doubt the result? He will hardly leave before he has at least told us what is that "FURTHER PROPOSAL MORE CONSISTENT WITH FAIRNESS AND EQUITY," which he trusted the American Government would make to him. (pp. 11, 69.) Sir, the civilized world would execrate the Minister of both Governments if this negotiation should be terminated upon any point of personal or diplomatic rivalry. Christian lands are not to be involved in wars at this day for the personal pique of their agents. Ministers of peace do not seek occasion for a quarrel; but, if really inclined to compromise, they would be looked upon as miserable bunglers, when either or both of them cannot find in their own correspondence, or elsewhere, a reason or a pretext for making any offer that would prove acceptable to both. IF THERE BE ANY SUCH, leave all that to them, and there let the responsibility rest, undivided by us.

This matter can be compromised, if the two Governments are willing to do it. If Great Britain does not intend to compromise, we ought to know it; let her not have the excuse for it, that the President is against all compromise, but in favor of "all of Oregon north of 49°." She is permitted to say that that misconception of the American President, although proclaimed in the American Senate by some senators, was neither refuted nor contradicted by any other.

This notice is no threat at all; and I do not expect it is either to intimidate Great Britain or to offend her. But hitherto neither of the two Governments seem to have fully realized the necessity of terminating this last cause of dispute between them, and of opening the way wider for the cultivation of a permanent national concord.

Whatever may be their course or their condition, it seems to me that we are no longer left at liberty to postpone a final settlement of this whole controversy about Oregon. The public will be pressed through their immediate delegates in the other House, is very conclusive upon that point. Another Presidential election, and every other question will be made subordinate to this one for "Our Rights."

The public mind, already pre-occupied by one-sided arguments upon our title to the whole of Oregon, will be in no state to discuss it; the people will be excited and misled by denunciations against every man who has the moral courage hereafter to doubt it, and even taught to call him "British;" the prudence of age will be deceived as the councils of a foreign influence by a hired press; the wisdom of statesmen will be set aside by the clamors of self-dedicated demagogues; the love of peace and the fear of God denounced by factions, and vilified by traitors and the affection of an infuriated party to spirit, aided by selfish ambition, will produce in our happy country this, and many more than this—all, as I apprehend, for the sake of putting great men down, and exalting little men to high places, more than it will be for the purpose of securing our national rights. Senators and others who would scorn to play the game are incautiously furnishing the cards—"All of Oregon or none!"

Our 44th President, Mr. Polk, with the Administration is with us. He has with the treacherous Democrats or British? Who will spare his mouth for compromise? These are the questions of the hour, which the CONSTITUTION has entrusted it as we would protect the trust committed to the SENATE, and do our whole duty to the cause of LIBERTY REGULATED BY LAW, to God, and to our consciences—I think the Senate should aid to bring this controversy to a conclusion, in some way or other, as soon as possible. Another year, and it may be too late to settle it in peace. Another three years' delay, and it will not be settled without a dreadful conflict of political agitations at home, and perhaps a desperate war between two Christian nations. God deliver us from both!

If the trusts of this body under the Constitution must be carried for discussion beforehand to the court-house and party caucuses of the hour, we must encounter the agitation and peril and bitterness of a popular revolution in our foreign affairs—will not the Senate agree that it is safer and wiser to take care that the proceedings shall be made up so as to present the TRUE ISSUES? Notice or no notice is an old question—pre-emptory and prejudged; and the peace of the country can hardly be preserved if we suffer that to be the issue which goes before the country. Let us give the notice, then, to the President's hands, before the negotiation is closed, and if there is a compromise, the question will be to the people upon that. The result is, to my mind, neither doubtful nor fearful. If no compromise that we can accept with honor shall be offered now, it never will be offered; and then we shall soon have the whole subject before us, and can take such steps as will protect our rights and carry this question into the popular elections upon a just and true issue. But the President must not abuse the notice after we have authorized it, and you hesitate. Is there not more danger from our delay, than in any trust we may repose in the Executive by giving him the use of this notice, even if he should abuse it? Friends of the Administration—Democrats—surely WE can confide in it, to him, else we ought not to be his friends. Confidence is not to be expected with so much alacrity from those who have been his political opponents, especially when some of ourselves have misconstrued the President. But, writes the Senate, do you still doubt his position? Do you fear he may abuse this notice after it is given to him. (as it has been said he would.) by abruptly closing negotiation, and even refusing his own offer for a compromise at 49°? Should it be returned to him? I think of COOPER'S PROMISE, and NO OTHERS, do I appeal. I have said already that if you do not mean to stop concession at that line, you do right in refusing the notice. He cannot speak upon that point; official propriety forbids it. I have already said and proved. But here is a guarantee. Let him but venture to occupy that position contrary to your hopes and expectations. Let him only attempt to betray the confidence you put in his conduct. (Oh! he will not do it. I feel like I was defending a friend's honor, when I say again, and again, and again, that this constant CANNOT be true.) But what if he should attempt it? The country will yet be safe. He might embarrass the Senate, but he would destroy himself. The moment he does it, the whole subject will, by the Constitution, pass out of his hands, and fall EXCLUSIVELY INTO OURS. The Legislature, and not the Executive department, will then have it in charge; with no change but the abrogation of a convention that it were rashness in us to continue longer in force. We have a majority here for peace, and for every honorable means of preserving it—no more, but all that—men who, I am sure, would defy faction, and laugh at demagogism in the crisis of their country's fate—Democrats and Whigs, all patriots and together upon an "AMERICAN" question. And the bill for extending our jurisdiction over Oregon need not be, as it ought not to be, adopted, until we see what more the President will do, and what Great Britain means to do. And this Senate ought not to adjourn until we know whether we are to have PEACE or a SWORD. IT SHALL NOT BE MY VOTE. It would not be becoming in me to undertake to advise how we ought to act in such a case upon subsequent measures. Though I do not advise the common use of Scripture quotations in political speeches, the subject and the occasion appear to be solemn and impressive enough to excuse me for saying upon that point, "Sufficient upon the day is the evil thereof."

I come now to invite the attention of the Senate to some of the several forms in which it has been proposed that this notice shall be authorized. The resolution reported from the committee on Foreign Affairs was not at all objectionable to my mind in the outset. For nothing on its face do I now think that resolution objectionable. But other Senators were not satisfied with it, and preferred to pursue a different form of words; and I have held myself ready at all times to adopt any form that might be more acceptable to others, so long as the substance was not sacrificed. If I could desire to put Senators of any party in a false position upon a question of this kind, I should despise myself. The resolution and the probable offer of the senator from Kentucky (Mr. Crittenden) when it was proposed, seemed to me to arrive at the object, substantially, by another form of words, perhaps better, perhaps not; any way, I was, at the beginning, and I am now, contented to take that. I like it—I approve it. But I should like to see it altered, by striking out the proviso which delays the notice until after the present session of Congress. My reasons have been already stated. Should they make no impression upon the judgment of the Senate, I do not expect to make that proviso a reason for voting against that amendment. The preamble, although not originally necessary, was, perhaps, expedient on account of the course of the debates which sprung up in the Senate, and connected themselves with OREGON, and the introduction of the proposition of the senator from Kentucky (Mr. Crittenden) was at once a wise and patriotic movement, to clear the ground of unnecessary alarm in the country. With the lights at that time before us, I think it was. Though I knew nothing of it until it was proposed by him, in my heart I thanked him for it. That senator is a better judge than I am, whether all the valuable and patriotic purposes designed by him have not been fully accomplished. The difference between authorizing the President to give the notice at his discretion, and a law annulling the treaty and directing him to give the notice, does not seem to be very material; and if it were, I would suggest that the House resolution leaves it to his discretion, as well as the resolution of the senator from Kentucky. I am willing to vote for either of the three, as may be most agreeable to others.

The amendment suggested by the honorable Senator from Georgia (Mr. Colquitt) I cannot vote for—the last resolution. I sat down to examine it, with a sincere desire to approve, if I could; but I cannot, and I regret it on many accounts. The words are as follows: "Sec. 2. And be it further resolved, That it is earnestly desired that the long-standing controversy respecting limits in the Oregon territory, be speedily settled, by negotiation and compromise, in order to tranquilize the public mind, and to preserve the friendly relations of the two countries."

I object to this, because, although circumstances may make it proper or excusable in a Senator or Senators to express his or their individual opinions upon a negotiation in a debate, yet this Senate, as the Senate ought not to do it, and we ought not to take charge of a negotiation, ending at the Executive Department. The Constitution has left all that to the President, unless he should see the Senate for advice; and that advice should then proceed from the Senate alone, acting in Executive session, not from Congress. This Senate may be more

competent to express a respectful opinion on President Polk, but the CONSTITUTION has determined that another otherwise; and, "by the Constitution," President Polk is the wisest and safest negotiator. We must not quarrel with his resolutions as a Senate. If it be our right, I should question the expediency of giving any advice unasked. If we were ever so competent by the Constitution to give the advice unasked, and it were not inexpedient to do it for other reasons, yet it is entirely unnecessary in this case. The negotiation is pending upon the basis of "compromise," and we have the President's declaration to the British Minister that he has "determined to pursue it to a conclusion" upon that basis. Indeed, Senators know that after the basis was once arranged by mutual consent, it was not in the power of one of them to change that basis without the consent of the other, or else terminating the negotiation.

I object to it further, because if the SENATE has a right to advise, and it would be prudent and wise to give the advice, still it cannot be pretended that CONGRESS has such a power under the Constitution; and it is one of the first and highest duties of the Senate to protect the peculiar trusts which, under the Constitution, appertain to it, and not to admit, much less to invade, the House of Representatives into partnership for advising the President upon our foreign affairs. By adding this amendment to a joint resolution we violate that duty ourselves, and consent to and invite an encroachment upon the Senate; and that forms to my mind a conclusive objection. Were there no other, it ought to prevail.

I object to it further, because, if it is intended as a declaration of our "earnest desire" made to a foreign Government, and addressed to it, then it is very unwise, as it is not a reflection upon our Chief Magistrate, who is the "only mouth" of this Government to speak to other nations; and that, after he has already told Great Britain that he "desires" a compromise. Once conceded, I would give no room for an inference that we distrust him or his peaceful purposes. It is proper that we should give him the moral weight of our legislative opinion by act or resolution for notice, and leave him to use it the best way he can, but still responsible for any abuse of it. There I hope we shall stop. Give all the aid he asks, but no impediments. Therefore I would make no more calls for correspondence, but leave the Ministers to carry through the negotiation. Our calls may be embarrassing to both of them. They are not calculated to aid our own.

There is another objection to this resolution that is conclusive to my own mind, and I ask particular attention to it. If I interpret it aright, it advises a compromise between 49° and 49° 40' and the Columbia river. Now to that I cannot agree. In the sixth protocol are these words: The British Minister said "that he did not feel authorized to enter into a discussion respecting the territory north of the forty-ninth parallel of latitude, which was understood by the British Government to form the basis of negotiation on the side of the United States, as the line of the Columbia formed that on the side of Great Britain."

To this, I apprehend, our Government assented by signing the protocol, and Mr. Pakenham has ever since treated the matter accordingly. Then the "pending controversy" respecting limits is understood to be a controversy whether those limits shall be settled at 49° or at the Columbia river; and our advice to settle it by compromise would be advice to compromise, viz. to give and take for a line between these two. I do not say it was so intended: I am sure it was not. But see how much difficulty there is in agreeing upon construction of the message. Shall we not realize embarrassment by every step of our interference with negotiations?

Suppose that mine was not the proper interpretation of this resolution. It must be admitted not to be free of doubt. That is sufficient to condemn it for it may mislead Great Britain. Her Minister may understand it as I do, and the consequence will be that no offer that we can accept will be made.

Upon the whole, I submit to the Senate that the House resolutions, under all the circumstances now surrounding this subject, had better be adopted by the Senate. Their second resolution is but a proviso excluding any inference that that House designed by the first one to obtrude into a subject belonging to the President and Senate. It was perhaps a right for them to say, "It was not saying to us and to the President, 'A negotiation is pending, and this House claims no right to interrupt it, we have taken care to declare that negotiation is a matter with which the people's representatives in the House do not hereby interfere.' And, at the same time the vote on their part implied the absence of any hostility to negotiation. Upon this subject, and at this stage of it, negotiation means compromise. From that there is no escape.

The great reason why I would entreat the Senate to take the House resolutions, so free of objection as they are, is this:

The difference, if any, in favor of either of the other propositions over those from the House, is not to be compared to the inconvenience (using no stronger expression) which the sending of this discussion back to the other House will produce in the country, and the certain delay and probable embarrassment it will tend to in pursuing the negotiation. The whole subject with the Senate is with the Senate I leave it.

Mr. President, I have now concluded what I had to say. I must be more or less than a man if I felt so indifferent to the kind and flattering attention of the Senate for two days, as not to express my gratitude for it. I have spoken plainly of principles and things—I hope not too much so. It is difficult I know to do that without an appearance of disrespect to those you answer. But an attack upon errors of opinion is no assault upon the persons holding them. In my heart there is nothing of unkindness. If I had not been placed, most reluctantly, in an attitude where I must speak or be misunderstood; if I had not been goaded by repeated declarations which I could not assent to, and which, if correct, I knew would force me to support the Administration and to abandon a friend; and which, if incorrect, it was my duty and my right as a senator to refuse in free debate, I should not have opened my mouth. If this performance of an unavoidable duty should leave me exposed to misrepresentation, I must bear it. My hands are clean, my heart is easy, my conscience is unburdened; and, if I have done any thing for good I can rejoice, if not, I have tried to do it. And, having confidence in God stronger than any "confidence in princes," I pray that HE who rules the destiny of nations may guide our counsels so as to save the peace of my beloved country, and protect it forever by His mighty arm in the enjoyment of liberty and religion.

### DAUGHERTY TYPE MINATURES.

MR. HUMPHREY would respectfully announce to the citizens of Wilmington, that he purposes remaining in this place a short time, and of giving all an opportunity of procuring a correct likeness of themselves and friends in his superior style.

Having connection with three of the most successful Daguerreotype Rooms in the State of New York, he has advantages which few artists can realize.

Portraits taken in a superior style, perfectly true to nature, of every face, gilded and colored so that no climate will effect them in the least.

Daguerreotypes taken by the old process, gilded and colored so as to render them equal to those taken at the present day.

Portraits of sick or deceased persons taken at their residences if required.

Particular attention given to those wishing to engage in the business. Instruction with all the latest improvements, apparatus and stock, furnished on reasonable terms.

For further information inquire at his room, on Front street up stairs adjoining Dr. Ware's, directly opposite the Chronicle Office.

January 30, 1846. 30-46

### FRESH DRUGS AND MEDICINES.

DR. A. C. EVANS,

HAS RECEIVED, at the NEW DRUG STORE, in addition to a full and complete stock of genuine Drugs, Medicines, Paints, Oils, &c. &c. and a great variety of miscellaneous articles, 100 kegs White Lead, No. 1 to pure, 75 boxes Window Glass, 8X10 to 12X16, 50 lbs. Mercurial, 100 oz. Sulph. Quinine, 12 lb. Oil, 25 cans Verdigris and Chrome Green, 1000 lbs English and American Epsom Salt, 7 doz. Salad Oil, 12 gross bottled Soda, (a fine article,) 6 doz. Trusses, including Chas. Ivory pad, Hull's, Marsh's, &c. (all sizes) Sulphate and Acet. Morphine, McMur's Elixer of Opium, Indole, Iodide of Potassa and Iron, Strychnia, Pimento, Henry's Mergol's, Huxham's Fluid Magnesia, Elixerum, Fari's Elix. Bark, Oil, Cacha and Copal, Granville's Lotion, Wood's Naphtha, Castor Oil, Glycerine, (a good purgative for children,) French Mustard, &c. &c. with the following PATENT MEDICINES:

Wistar's Balsam Wild Cherry, Swaine's Syrup of Do., Taylor's Balsam Liverwort, Moffat's Phosphoric Bitters, Jayne's Expectant and Hair Tonic, Swaine's Panacea, Farnsworth's Vermifuge, Sand's Sassafras, Indian Panacea, Cheesman's Balsam, Thompson's Eye Water, Gray's Ointment, Beckwith's, Peters', Lee's, Leidy's, Moffat's and Brandreth's Pills, &c. &c.

A liberal supply of all articles in the line, will be constantly kept on hand, at a considerable reduction on customary prices.

Physicians and Merchants will find it to their interest to call before going further.

(All articles warranted genuine or returned.)

July 18th, 1845. 44

### ADAMS & M'GARY

HAVE OPENED their store in the Parley building, between Chestnut and Walnut streets, where they have and will keep a large assortment of GROCERIES, SHIRT STORIES and PROVISIONS, among which will be found

6 bbls. P. R. and St. 20 Tubs Butter,	50 boxes sealed Herring,
Croix Sugars,	30 boxes Sp's Can't
50 bags Coffee,	10 do brown Soap
50 bris Canal Flour,	50 do fancy do
40 half do. do. do.	80 kegs White Lead
50 bris Beef & Prime	20 3/4 Fulton Market
40 bris do. do.	20 3/4 No. 1 and 2
100 bris Pilot and Navy	Mackerel
Bread	40 M Segars, assorted.
4 barrels and boxes	SADDLERY
Crackers	Smoked Beef & Tongues
25 bris Whiskey	Oils and Paints
20 do Rum	Fine Liquors
10 do Brandy	All kinds of Cordage
40 chests and 3 chests	A general assortment of
Tea	Chandlery.
10 cases Cheese	

ALSO—Some very superior TEAS, for family use, in half pound, quatrums and canisters.

N28 11-46

### TO MERCHANTS, Physicians, and Others.

THE subscriber keeps constantly for sale, at the lowest prices, an assortment of MEDICINES, DRUGS, DYE-STUFFS, PAINTS, OILS, GLASS, VARNISH, BRUSHES, &c. &c.

Confident that his prices will give satisfaction, he solicits even those who may not intend to purchase at the time, to ascertain the prices of his goods.

Any communications, asking the prices of goods, are most cheerfully and promptly answered.

He would particularly state, that he has a Steam Factory in connection with his store, for Powdering, Japanning, Rubbing, Ipecacumha, and many other Medicines; for grinding Mustard, Cinnamon, Ginger, Allspice, Pepper, Cloves, &c.; and Lamp Black, Black Lead, Venetian Red, Chrome yellow and green, Verdigris, Yellow Ochre, and other Paints in oil; all of which he is able to sell at the very lowest prices.

Paints mixed already for use, and put up in earthen pots, of different sizes, for family convenience.

Putty of the best quality, at 2 1/2 cts. per lb., out of bladders, and 3 cts. per lb. in bladders, in quantities of 50 lbs. and upwards.

(No charge made for delivering goods in any part of the city.)

J. W. W. GORDON, Druggist.

No. 1 West Pratt st., a few doors from Light st., and opposite the Bank, & Ohio K. R. Depot, Baltimore.

Baltimore, February 18, 1846. 24-3m

### STATE OF NORTH-CAROLINA.

SAMPSON COUNTY.

Court of Peace and Quarter Sessions.

February Term, 1846.

James Moore, executor of James Moore, deceased.

vs.

Jane Moore, Thomas G. Moore, James King, guardian of minor heirs of Walter O. Moore, deceased, John T. Moore and wife, Corris Thompson and wife, Benjamin Brothers and wife, Harriet O. Moore, and Henry N. Moore.

T appearing that Thomas G. Moore, Benjamin Brothers and wife, and James King, guardian of minor heirs of Walter O. Moore, deceased, beyond the limits of this State; Ordered, by this Court, that publication be made for six successive weeks in the Wilmington Journal and Fayetteville Observer, for the said Thomas G. Moore, Benjamin Brothers and wife, and James King, guardian, to appear at the next term of the Court of Peace and Quarter Sessions, held for the county of Sampson, in Clinton, on the third Monday in May next, and show cause why the last will and testament of James Moore, dec'd, shall not be admitted to solemn and final probate.

Witness, T. I. FAIBON, Clerk of our said Court at office, in Clinton, the 3rd Monday in February, A. D. 1846, and 70th year of American Independence.

T. I. FAIBON, C. C. C.

March 6, 1846. 28-6

### J. LEONARD, BLACK-SMITH,

RESPECTFULLY informs the citizens of Wilmington, and the surrounding country, that he has located his BLACK-SMITH establishment in the Shop recently occupied by Mr. L. Wood, near Messrs. Hall & Armstrong's Distillery, where he is prepared to execute every description of work in his line, viz: Mill and Steam Boat work, make or repair Boilers, and all kinds of Edged Tools, Ploughs, &c. &c., in a substantial and neat manner.

He solicits a share of the public patronage, and will always endeavor to give satisfaction.

WILMINGTON, January 30, 1846. 28-1y

### RICE—60 Cents fresh best, prime quality, for sale by G. W. DAVIS.

### WANTED.—The highest CASH PRICE will be paid for OLD PEWTER, by J. HART & POLLEY.

### DEVOTED

DAVID F. VOL. 2.

WILMINGTON PUBLISHED EVERY PRICE & FUL

Two Dollars and 50 cts. per annum, in advance. No paper discount, except at the option of the subscriber received.

To the Editors of the Wilmington Journal and Fayetteville Observer, for the said Thomas G. Moore, Benjamin Brothers and wife, and James King, guardian, to appear at the next term of the Court of Peace and Quarter Sessions, held for the county of Sampson, in Clinton, on the third Monday in May next, and show cause why the last will and testament of James Moore, dec'd, shall not be admitted to solemn and final probate.

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